

A meeting of the New Hampshire Water Well Board was held on June 16th, 2005 at 9:30 am, in rooms 111 & 112, 29 Hazen Drive, Concord, NH, 03302.

Present were: Bart Cushing, Chairman

Rick Skarinka (For Rene Pelletier, Secretary)

Board members: Terrell Swain, Jeffrey Tasker, Peter Caswell, and David Wunsch.

Staff: Rick Schofield and Genevieve Al-Egaily.

Chairman Cushing brought the meeting to order at 9:31, welcomed visitors and introduced members of the Board.

Approval of Minutes

Upon motion by Mr. Tasker, seconded by Mr. Caswell, the Board voted unanimously to accept the Minutes of the April 21st, 2005 meeting.

Complaints

Fred D'Amore / Woodsome Well Drilling Inc.

Mr. Schofield stated that the Board had received a complaint from Mr. D'Amore concerning the lack of water and poor water quality at 116 Pine Hill Road, Madison, NH. Prior to filing the complaint Mr. D'Amore had hired Tasker Well Company to inspect the well and their report was filed along with the complaint. Mr. Schofield visited the site on April 29, 2005 and confirmed the deficiencies noted in the Tasker report. The deficiencies included the use of wire nuts instead of heat shrink tubing, the ground wire was not bonded to the casing, and the well cap was installed incorrectly resulting in an inadequate seal. A Notice of Violation had been sent by the NH Department of Environmental Services ("DES") to Mr. Woodsome informing him of the complaint and violations.

Mr. Woodsome called the office of the Board after receiving the complaint and Notice of Violation and stated that he intended to drill a new well for Mr. D'Amore and decommission the old well. He also stated he would hire Southern Maine Pump Co. to make the necessary corrections to the pump installation. Mr. Schofield informed the membership that Mr. Woodsome had recently notified the office that all of his pump work would be installed by Southern Maine Pump Company until he was able to obtain his pump installer license.

Mr. Schofield further explained that the new well had been drilled and hydro-fractured. The well was reported to be 400 feet deep with a yield of 3 gallons per minute. Mr. Woodsome was currently working on getting his pump installer's license.

Mr. D'Amore was sworn in by the Chairman and asked to explain his case. He stated that he had been told that the original well was different depths at different times so he was concerned about the truthfulness of what he was being told about the new well. He stated that he had also been told that a Jaswell seal had been installed on the old well. However, when the well was inspected, a Jaswell seal was not found. He also stated that the original well had been drilled down gradient of the septic system and approximately every five days the water would have a foul smell.

Mr. Skarinka entered the meeting at 9:55 AM.

The Board requested that Mr. D'Amore bring copies of the water quality test results when he came back to the Board. The Board felt that Mr. Woodsome should be required to conduct a pump test on the new well to ensure that the reported yield was accurate.

Mr. Swain made a motion to schedule a hearing for the revocation of Mr. Woodsome's license. Mr. Tasker seconded the motion.

The Board determined that in this case the grounds for license revocation under RSA 482-B: 8 were fraud, misconduct, and gross negligence.

The Board voted unanimously to hold a license revocation hearing.

Mr. Swain made a motion to send a letter to David Arnold, the builder at 116 Pine Hill Road, Madison, requesting that he disclose to the Board the name of the individual who installed the pump. Mr. Caswell seconded the motion. The Board voted unanimously to require Mr. Arnold to identify the pump installer.

Mr. Schofield felt that the Board's actions were unwarranted considering Mr. Woodsome's response to Mr. D'Amore's complaint.

Chairman Cushing stated that he felt the actions were warranted because Mr. Woodsome's response was not timely.

Previous Complaints

Several Citizens of Stewartstown / Landon Placey

Chairman Cushing read Mr. Placey's letter of response into the record concerning the revised LOD issued by DES and well that he had installed at the L & L Riverside Inn. The letter stated that for financial reasons he would not be able to replace the well until fall which would not meet deadlines established by the LOD.

Mr. Schofield reported that he had spoken with Mr. Placey on April 22, 2005 regarding the LOD that was in force at that time. The second water quality test showed coliform bacteria in the water and he had informed Mr. Placey that the well was in a poor location. Mr. Placey agreed that he needed to put in a new well and he stated that he had been unable to have the existing well inspected because of flooding.

A new LOD had been drafted requiring that within 30 days the location for a new well would be determined and a licensed water well contractor would be retained. By July 31, 2005 the new well was to be completed and the water system installed by a licensed pump installer. Within two weeks of the well completion, the water was to be analyzed for bacteria, nitrate, and nitrite. Within 30 days of the completion of the new well, the old well was to be decommissioned.

Mr. Schofield reported that he had spoken with Health and Human Services and they stated that they had no jurisdiction in this case. He also spoke with the Stewartstown health officer. She informed him that the letter received by the Board with her signature was a forgery. She also stated that she had requested assistance from the state to help her with this case.

The Board concluded that since the deadlines in the LOD had not yet passed, a letter would be sent from the Board to the selectmen informing them that in the Board's opinion the water at the Inn posed a risk to public health.

Danny Brough / Robert Roy

Mr. Schofield reported that he visited the site and nothing had changed since last winter. He informed the Board that he had been in error about the temporary service. The service was hooked up to the house, not the pump. The well cap had not been changed as requested by the LOD and the deadline of May 1, 2005 had passed. Mr. Schofield asked the Board if the membership wished to continue pursuing the case since the temporary service was not within their jurisdiction, and Mr. Roy's failure to respond to the LOD would be handled by DES.

The Board decided that a letter should be sent to Mr. Roy requesting that the Board be notified when the well cap had been replaced.

Reporting

Response to Reporting Compliance Letters Sent April 26, 2005

Mr. Schofield reported that Tri State Drilling & Boring had submitted 57 reports. However, most of the reports contained insufficient location information and had been returned to Tri State Drilling & Boring. Of the reports that had been sent back, only 19 had been returned with the updated location information.

The Board moved that a letter should be sent to Tri State Drilling & Boring requiring the remaining reports to be returned with the updated location information by August 1st.

Mr. Schofield reported that Woodsome Well Drilling Inc had submitted ten reports for 2005.

The Board decided that the issue of reporting would be discussed with Mr. Woodsome at his license revocation hearing.

Contractors on Probation

Mr. Schofield reported that the two-year probationary period imposed by the Board on Roth Artesian Well Company, Gordon W. Furbish Well Drilling, Valley Artesian Well Co Inc., and K Beebe Inc for failure to comply with reporting regulations expired June 5th. The Board needed to decide whether or not to grant a formal dismissal. The affidavits submitted in 2004 by the four contractors indicated that Valley Artesian Well Company reported that they had constructed 93 wells during the reporting period, Gordon Furbish reported 13 wells, and Roth Artesian Well Company reported constructing 56 wells. Mr. Beebe's affidavit was not immediately available because he had not submitted the affidavit on time last year and it was not in the file.

The Board reviewed the number of well reports submitted by each company from June 6, 2004 through June 6, 2005.

Based on the number of well reports submitted by Valley Artesian Well Company, Mr. Swain made a motion to schedule a license suspension hearing. At the hearing, the contractor would have the opportunity to present evidence showing that they had complied with the reporting requirements.

Mr. Schofield stated, to suspend a license, RSA 482-B: 8 requires the Board to have good and sufficient reason to believe or find that a violation had occurred.

After further discussion with the Board, Mr. Swain amended his motion to include all four contractors. Mr. Wunsch seconded the motion. The Board voted and passed the motion to schedule a license suspension hearing for all four contractors. Mr. Skarinka opposed the motion.

Annual Compliance Check

Mr. Schofield then presented the annual Reporting Compliance Report for the Board to review.

The Board reviewed the report and determined that the following companies should be sent a letter requiring them to appear at the next Board meeting. At that time each company would be allowed to provide evidence showing that they had complied with the reporting requirements set forth in the rules.

A & W Artesian Well Co Of Vt	Gap Mountain Drilling LLC
Fowler Well Drilling	Gosselin's Artesian Wells
Green Mountain Well Co Inc	Mckenna Well Drilling Inc
Hartley Industries	
Lynde Well Drilling Inc	
Norman R Davis Construction	
Western Maine Water Wells Inc	

The Board also requested that Mr. Schofield send a letter to all of the dug well companies reminding them of the reporting requirements. The Board also requested that he check into the reporting status of E M Young Well Company and Kingston Well & Pump as well as R E Chapman Co. and Davis Artesian Wells.

Licensing

New Applicants

Mr. Schofield reported that there were no new applicants.

Continuing Education

Mr. Schofield reported that he and Rogers Skillings had completed the last of the continuing education seminars last week. The basics of servicing well pumps including troubleshooting and how to present yourself to customers had been covered. The seminars had been held in five venues and had drawn approximately 200 attendees.

Mr. Schofield stated that Scott Boggis had requested to receive continuing education credit for attending a course offered by the International Ground Source Heat Pump Association. He is now an accredited installer of ground source heat pumps and a certified installer for heat fusion.

Chairman Cushing suggested that he should send a certification letter to the Board stating that he had taken the course. Future requests should include a notice signed by the presenter. The Board concurred and agreed that the courses would qualify for credit towards his license renewal.

Rules**Define Qualified Individual**

Chairman Cushing presented a copy of the rules currently used in the State of Vermont to define a qualified individual and a copy of a corporate resolution which is required to designate a qualified individual.

The Board concluded that items (d) and (i) should be omitted and requested Mr. Schofield to review the document.

Jaswell Seals

Mr. Schofield suggested that the Board consider adopting a rule establishing the requirement in the Policy Statement section of the DES fact sheet on Jaswell seals. The fact sheet states “However, these Seals shall not be approved for use to remedy an improperly installed primary seal in new well construction”.

The Board agreed that this language should be included in the rules.

Setbacks for Lots with Community Sewers / Setbacks for Geothermal Wells

Mr. Schofield explained that clarification was needed on the 75 ft setback from a property line if the lot had city sewer and whether a Non-conforming Well Location Form would be needed if the setback was not met. The setback in the rules applies to lots with on-site septic systems. Mr. Schofield also suggested that setbacks should be required for geothermal wells because they could be used in the future for drinking water purposes.

The Board concluded that a well should be regulated for the intended use at the time of installation.

Mr. Schofield suggested that the rules should therefore be amended to state that the setbacks apply to drinking water wells. As written, the rules apply to all wells.

Old Business**Hydro-fracturing Forms / Well Completion Report Forms**

Mr. Schofield reported that he had completed the updates to the forms requested by the Board during the last meeting. Minor changes had been made to the Well Development Form and significant changes had been made to the Well Completion Form. Information from the Well Development Form had been included on the back of the Well Completion Form.

Chairman Cushing felt that some of the information on the revised Well Completion Report Form should be optional.

The Board concluded that the screen details, additional well seals, and the first packer setting should be mandatory. However, the pump and recovery information should be optional. They also decided that the Hydro-fracturing Form should state that the report must be submitted to the Water Well Board no later than 90 days after the completion of the Hydro-frac.

Mr. Schofield reported that the second public notice concerning setbacks to property lines had been added to the back of the Non-conforming Well Location Form.

Letterhead

Mr. Schofield reported that the letterhead was now finished and in an electronic format that could be printed on the color printer. DES staff had suggested that the letterhead be ordered and have only the names in the electronic format to reduce the cost.

The Board decided that Mr. Schofield's name should be added to the letterhead.

Most Common Installation Deficiencies

Mr. Schofield suggested adding information about the most common installation deficiencies to the website.

The Board decided that information on common installation deficiencies should be included on the website. Well chlorination, the use of locking type disconnects for submersible well pump motors, and the use of expansion joints were also considered by the Board to be areas where the industry was deficient so information on these topics was to be added to the website as well.

David Bruce / Richard Fisher

Mr. Schofield informed the membership that DES had sent a notice to Mr. Fisher informing him about license requirements for pump installers. Mr. Fisher was a contractor responsible for the water system at the Governors Forested Community Water System in Fremont NH where the program had sought an administrative fine against Mr. Bruce for installing the pumps.

New Business

Request for Exemption

Mr. Schofield informed the Board that DES had requested Groundwater Environmental Services Inc to decommission a well at Nancy's Famous Bow Mobil located on South Street, Bow. They were requesting an exemption from the Board, which would allow them to use gravel pack in the bottom 600 feet of the well instead of bentonite grout. They were concerned that the bentonite might contaminate the 1000 foot active well located only 25 feet away. Mr. Schofield informed the Board that there was a third well at the site that had not been included in the information provided by Groundwater Environmental Services Inc.

The Board concluded that Groundwater Environmental Services Inc. needed to determine the location of the third well and if done properly bentonite could be used to seal the well without contaminating the active well. The Board voted unanimously to deny the exemption.

Database Survey

Mr. Schofield reported that the Water Supply Engineering Bureau was evaluating the capabilities of the database programs. This includes the Water Well Contractors Licensing database, the Complaint Registry database, and the Well Completion Report database. Currently, the water well licensing database cannot track multiple licenses held by one licensee and the database was not able to store the dates the licenses were issued. In addition, only one licensee's name can be stored for a business with multiple licensees, so it is difficult to know who the qualified individual is in some cases. There is a master database that stores the company name and the qualified individuals name and another database

called Employees that stores all of the individual employees that hold a license. There is also no way to track the history of a licensee if they have worked for multiple companies. Mr. Schofield felt that the program needed an enforcement database also.

Mr. Wunsch requested that a notation be included in the Board's website query application identifying the NH Geological Survey as the section that maintains the well database.

The Board suggested that the database be tied into 911 data to help improve the accuracy of the location information.

Alternative Dug Well Design

Mr. Schofield reported that the Six-Packed Well designed by Russell Lanoie was becoming popular and he felt that the Board should consider whether the design should be included in the rules. He explained that this well design was being targeted to homeowners who wish to install their own well. Gravel was used in this well design instead of well tiles, which were required by the rules. Mr. Schofield stated that he had some concerns about the storage capacity of the crushed stone and the potential for clay to be drawn into the well if the well was installed in clay and then was stressed. However, there were no blatant violations of the rules in the design. He also informed the Board that a supplier had been selling a kit for the construction of this well. In closing he stated that he believed that many of these wells were being constructed illegally by unlicensed contractors, not homeowners.

The Board felt that there were several problems with this well design. The sketch of the Six-Packed Well did not show the impervious layer, sewer pipe might be used resulting in an improperly fitting well cap, and the geotextile filter fabric may not be approved for potable water. The Board recommended that the Six-Packed Well design not be included in the rules.

Additional Issue

Mr. Schofield reported that he had received a call from Bill Benard, state electrical inspector, concerning the way the pumps servicing eight houses in Franklin had been connected to the homes. The wells were drilled by Daniels Artesian Wells in the 1960s and had been hooked up to the homes with one well and one pump supplying two homes. Power was supplied to the same pump from the service panel of each home and was operated separately by the controller at each home. When both homes called for water at the same time, the power would back feed to the other homes electrical service, resulting in a very dangerous situation. The home owners were unaware of this pump service configuration.

A meeting had been scheduled to discuss the problem. Mr. Schofield suggested that the problem could be solved by placing a second pump in each of the wells so that a separate pump would service each home.

The meeting was adjourned.

Rene Pelletier
Water Well Board Secretary